

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 13-4052-14-CR-C-BCW
)	
WESLEY ADAM UPCHURCH,)	
)	
Defendant.)	

ORDER

Before the Court is Magistrate Judge Matt J. Whitworth's Report and Recommendation regarding the judicial determination of the mental competency of Defendant Wesley Adam Upchurch.

Based on the Psychological Evaluation Report (Doc. #728) submitted by Dr. Samuel Browning for the defendant, Wesley Adam Upchurch, and there being no challenge to the findings of this report by either party, the Court finds that defendant Wesley Adam Upchurch is not presently suffering from a mental disease or defect rendering him incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Accordingly, it is hereby

ORDERED that the Magistrate's Report and Recommendation be attached to and made part of this Order.

IT IS SO ORDERED.

DATED: April 27, 2017

/s/ Brian C. Wimes
JUDGE BRIAN C. WIMES
UNITED STATES DISTRICT COURT